

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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Attorneys for Plaintiffs

MARTIN LUTHER BASKERVILLE, JR.,

Petitioner,

v.

GEORGE ROBINSON and THE ATTORNEY
GENERAL OF THE STATE OF NEW
JERSEY,

Defendants.

2:18-cv-9873-CCC

**Supplement to Petitioner's Form
AO241 First Amended Petition for
Habeas Corpus Relief Under 28
U.S.C. § 2254**

1. I am the attorney for petitioner Martin Baskerville with respect to his post-conviction relief application under 28 U.S.C. 2254.

2. In accordance with the Court's Order ECF5 entered August 1, 2018, we have filed an amended petition for relief using the prescribed habeas corpus form, AO241. Because the history requires extensive explication, we are providing this supplement. This supplement comprises and provides:

(1) this supplemental statement;

(2) Affirmation of Michael Kimm filed in the New York Supreme Court for vacatur of the New York judgment of conviction with extensive exhibits that consist of

records from New York and New Jersey; and

(3) our brief filed in the Appellate Division of NJ Superior Court requesting a new sentencing and new judgment, which was denied. (NJ Supreme Court denied certification as well.)

3. At core, the New York conviction for homicide was erroneously entered against Mr. Baskerville when in fact he was incarcerated in Bergen County Jail. Bergen County Sheriff's Department lost the records that would have vindicated Mr. Baskerville in New York and also would have enabled him to obtain concurrent sentencing such that Mr. Baskerville would have been out of the New Jersey prison system long ago.

4. Mr. Baskerville received 1830 days of jail credits (amounting to more than 5 years) due to the "loss of records" of the State of New Jersey in tandem with the County of Bergen, the Sheriff of Bergen County.

WHEREFORE, Mr. Baskerville's petition should be granted.

Dated: August 30, 2018

/s/ Michael Kimm
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